



California Fair Political Practices Commission

February 26, 1986

Annabelle Heiferman
450 North Crescent Drive
Beverly Hills, CA 90210

Re: Your Request for Advice
Our File No. A-86-054

Dear Ms. Heiferman:

Thank you for your letter requesting advice concerning your duties under the conflict of interest provisions of the Political Reform Act.^{1/}

QUESTION

As a member of the Beverly Hills City Council, are you required to disqualify yourself from participating in decisions affecting the Beverly Hills Unified School District because your daughter is a member of the governing board of the School District?

CONCLUSION

You are not required to disqualify yourself from participating in decisions concerning the Beverly Hills Unified School District because your daughter is a member of the governing board of the School District.

DISCUSSION

The Political Reform Act prohibits a public official from making, participating in, or using his official position to influence a governmental decision in which the official has a financial interest. Section 87100. A public official has a financial interest in a governmental decision when it is

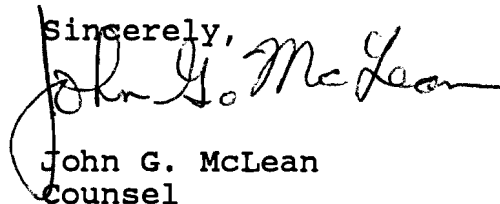
1/ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

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reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official or his or her immediate family or on specified economic interests. Section 87103. Immediate family includes your spouse and dependent children. Section 82029. You have indicated that your daughter is no longer your dependent and that you have no financial relationship with her (you do not have an investment interest in her, are not employed by her and she is not a source of income to you). Therefore, there is no basis for disqualification under the Political Reform Act. Furthermore, there is no reason to believe that decisions affecting the school district would have any financial effect upon your daughter.

Should you have any questions regarding this advice, please do not hesitate to call me at (916) 322-5901.

Sincerely,

A handwritten signature in dark ink, appearing to read "John G. McLean". The signature is written in a cursive style with a large, looping initial "J".

John G. McLean
Counsel
Legal Division

JGM:plh



City of Beverly Hills
FEB 13 8 21 PM '86
1500 North Crescent Drive · Beverly Hills, California 90210

Annabelle Heiferman
Councilmember
Mayor 1984-1985

February 6, 1986

Barbara A. Milman
General Counsel
Fair Political Practices Commission
P.O. Box 807
Sacramento, California 95804

Re: Advice Letter

Dear Ms. Milman:

This is to request an advice letter regarding a conflict of interest question raised by a candidate for Beverly Hills City Council. This candidate has asserted that it is her opinion that I have a conflict of interest in considering issues involving the school district because my daughter is a member of the Governing Board of the Beverly Hills Unified School District.

I have been advised by the Beverly Hills City Attorney that no conflict of interest exists because any action taken by the Beverly Hills City Council in relation to the School District results in no effect on any source of income to me or to my daughter nor would I or my daughter receive any income as a result of any such action.

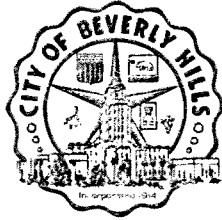
Should you have any questions regarding this matter or need additional information to render your advice, please contact Charles D. Haughton, Beverly Hills City Attorney at (213) 550-4877.

Your assistance in this matter is greatly appreciated as well as your earliest response.

Very truly yours,

ANNABELLE HEIFERMAN
Councilmember

AH:md



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